

REMARKS

There are now pending in this application claims 14-33, of which claims 14 and 24 are independent. Claims 24-33 are newly added, and as the Examiner will appreciate, claims 24-33 are directed to apparatus claims and correspond to method claims 14-23.

In view of the above amendments and newly added claims, and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

Applicant's invention as now set forth in independent claim 14 is directed to a method adapted to an image forming apparatus which forms an image on a sheet and discharges the sheet to the stacking unit adopted to stack the sheets. The method comprises the steps of causing the image forming apparatus to operate in one of a first mode for discharging the sheet to the stacking unit in a first condition where a first surface of the sheet faces upward and a second mode for discharging the sheet to the stacking unit in a second condition where the first surface of the sheet faces downward. This is combined with a controlling step controlling the apparatus to limit an amount of sheets which are stacked by the stacking unit in the first mode to be less than the amount of sheets which are stacked by the stacking unit in the second mode.

Independent claim 24 is directed to an image forming apparatus which incorporates a discharging unit and a controller, and the language of claim 24 includes the above salient features of the invention.

Independent claim 14 stands rejected under 35 U.S.C. § 102(b) or § 103(a) as being anticipated by or unpatentable in view of Yamashita et al.

In the prior Amendment, Applicant respectfully argued that Yamashita et al. does not teach or suggest a control step of making different an amount of sheets stacked in the stacking unit in the first mode and an amount of sheets stacked in the stacking unit in the second mode. The Examiner responded by asserting that whenever large sheets are fed in the first mode and small sheets are fed in the second mode, the control means of Yamashita et al. would automatically make lower the stacking capacity of the stacking unit when the apparatus is switched, from first mode to a second mode. Applicant respectfully disagrees.

More specifically, as is now clearly recited in each of independent claims 14 and 24, both the first mode and the second mode for discharging sheets each discharge the same sheet and discharge that sheet to the same stacking unit. The distinction between first and second modes is that in the first mode the image side of the sheet is facing upward while in the second mode the image side of the sheet is facing downward. It is readily apparent from the language in each of claims 14 and 24 that the scenario suggested by the Examiner, namely large sheets fed in a first mode and small sheets fed in a second mode, is not contemplated and is not within the scope of those claims. Accordingly, it is not seen how Yamashita et al. teaches or even suggests the invention as now recited in each of the independent claims of the above application.

Nor does Yamashita et al. disclose or suggest the step of controlling or the apparatus so as to limit an amount of sheets which is stacked by the stacking unit in the first mode to be less than an amount of sheets which is stacked by the stacking unit in the second mode. Applicant has reviewed Yamashita et al., and respectfully submit that there is no positive control step or control unit which performs the step as reciting claim 14 or corresponds to the

controller as recited in claim 24. Thus for this additional reason, the invention as recited in each of claims 14 and 24 is distinguishable over the applied art.

The remaining claims in the above application are dependent claims which depend either directly or indirectly from one of the above-discussed independent claims and are therefore patentable over the art of record for reasons noted above with respect to the independent claims. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicant respectfully submits that all outstanding matters in the above application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application are respectfully sought.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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